

# ***Fairfax County Circuit Court***

## **Guideline for Debtor Interrogatories**

A summons directed to a judgment debtor, directing him to appear before a Commissioner in Chancery or before the Court, to answer questions concerning the type, amount and location of all assets, real and personal, in which the judgment debtor has an interest.

The clerk may not issue a Writ of Fieri Facias until twenty-one (21) days after the entry of the judgment or twenty-one days after the foreign judgment is docketed unless the court through entry of an order determines for good cause shown that an earlier execution is warranted.

**Effective July 1, 2005** Debtor Interrogatories may be heard by the Court on a Friday Motions Day docket at 9:00 a.m. with a judge

### **DOCUMENTS REQUIRED:**

**ORIGINAL plus two (2) copies of the following documents are needed for each defendant:**

- Interrogatory Summons form (Circuit Court form only)
- Friday Praeipce Notice setting for 9:00 a.m. with a judge if applicable
- Affidavit stating that you have not proceeded against the defendant within the last six months in accordance with §8.01-506.
- Request for Exemption Claim Form (DC407) (front and back of form)
- List of documents if production of documents required

**CODE REFERENCE:**        **§8.01-506**

### **COMPLETION OF FORMS:**

Please ensure that all required information is completed on the Summons to Answer Interrogatories:

- Civil Action Case Number (Judgment from this Court – use original civil case number. Judgment from foreign court you will be assigned a law number which will be utilized for all post judgment collections.)
- Docketed Judgment Number, Place of Judgment, & Date of Judgment
- Style of the Case
- Original amount of judgment – Amounts must match the judgment exactly as it was docketed in this court.
- Debtor's Name and Address to be summoned
- Place of Hearing: Commissioners Name & address or Courts address which ever is applicable
- Hearing date & time
- Counsel/Party's signature, printed name, address, daytime telephone number

**ALL INFORMATION ON THE DEBTOR INTERROGATORY REQUEST MUST MATCH THE INFORMATION ON THE COURTS AUTOMATED RETREIVAL SYSTEM (CARS) JUDGMENT SCREEN. THE CLERK CANNOT ISSUE A WRIT OF EXECUTION ON AN INTERROGATORY REQUEST IF THE INFORMATION DOES NOT COINCIDE WITH THE DOCKETED INFORMATION.**

## **FEES:**

### Service by Sheriff:

\$ 1.50	Clerk's Execution Fee	17.1-275A (44)
\$ 5.00	Clerks Fee	17.1-275A (45)
<u>\$12.00</u>	Sheriff's Execution Fee	17.1-272
\$18.50	plus Service	
Sheriff's Fee	\$12.00 for each defendant being served	

### Service by Private Process Server:

\$ 1.50	Clerk's Execution Fee	17.1-275A (44)
<u>\$ 5.00</u>	Clerks Fee	17.1-275A (45)
\$ 6.50		

All Circuit Court filing fees and service fees are paid by cash, certified check or money order payable to the "Clerk of the Circuit Court". Personal Checks are not accepted.

The Court does accept checks from members of the Virginia State Bar with the assigned Bar number on the check. Checks accepted for transactions must have pre-printed name and address on the check. The Court does not accept checks with only a Post Office Box.

- ❑ Separate checks are needed for each case.
- ❑ If serving more than one defendant at the same address, a \$12.00 fee is needed for each individual being served.